

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 15-cr-4519 MCA

**FIDEL NARANJO, and
KENDRA BROPHY**

Defendant.

**DEFENDANTS' JOINT UNOPPOSED MOTION TO CONTINUE
THE TRIAL SETTING AND TO CONTINUE THE DEADLINE FOR
PRE-TRIAL MOTIONS**

Defendants Fidel Naranjo and Kendra Brophy respectfully move the Court to continue the April 11, 2016, trial setting and the March 1, 2016, motions deadline for thirty days. The Government does not oppose this request. In support of this motion, Mr. Naranjo and Ms. Brophy state as follows:

1. On December 3, 2015, Mr. Naranjo and Ms. Brophy were charged by complaint with one count of bank robbery, contrary to 18 U.S.C. § 2113 and 18 U.S.C. § 2. [Docs. 1-2.]
2. Following detention hearings, Mr. Naranjo was ordered detained pending trial and Ms. Brophy was ordered released to the third-party custody of La Pasada Halfway House. [Docs. 9, 13.]

3. On December 17, 2015, Mr. Naranjo and Ms. Brophy were charged by indictment with the same offense as charged in the complaints. [Doc. 15.] They were arraigned on December 28, 2015. [Doc. 20, 22.]
4. On December 31, 2015, this Court issued an order setting this case for trial on a trailing calendar beginning Monday, February 8, 2016. [Doc. 24.] The Court also set January 25, 2016, as the deadline for filing motions to continue. [*Id.*]
5. On January 18, 2016, Mr. Naranjo and Ms. Brophy filed a joint motion to continue the trial setting and motions deadline. [Doc. 25.] The Court granted the motion, extending the motions deadline to March 1, 2016, and the trial setting to April 11, 2016. [Doc. 26.]
6. Since then, the United States has produced additional discovery to counsel for Mr. Naranjo and Ms. Brophy. According to the Government, the final batch of discovery was mailed to defense counsel earlier today. Thus, counsel anticipates receiving the remaining discovery sometime next week.
7. Even with the exercise of due diligence, undersigned counsel cannot complete their review of the remaining discovery, confer with their respective clients and complete all necessary investigation and motions work by the current deadlines.

8. Given the work still to be done, a thirty-day continuance is necessary for undersigned counsel to effectively prepare their defenses in this matter, taking in account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Under these circumstances, the ends of justice served by continuing the trial and motions deadlines for thirty days outweigh the best interest of the public, Mr. Naranjo and Ms. Brophy in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).
9. On February 26, 2016, counsel for Ms. Brophy conferred with counsel for the government, Edward Han, regarding this motion and he stated the government does not oppose the relief requested herein.

Conclusion

For the foregoing reasons, Defendants Fidel Naranjo and Kendra Brophy respectfully move the Court to continue the April 11, 2016, trial setting and the March 2, 2016, motions deadline for thirty days.

Respectfully submitted,

Szantho Law Firm, P.C.

/s/ Andras Szantho

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CERTIFICATE OF SERVICE

I certify that on February 27, 2016, I filed the foregoing document electronically through the CM/ECF system, which caused all counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Theresa M. Duncan
Theresa M. Duncan